

HOUSE BILL REPORT

SB 6275

As Passed House:
February 28, 2010

Title: An act relating to harbor lines.

Brief Description: Regarding harbor lines.

Sponsors: Senator Jacobsen.

Brief History:

Committee Activity:

Agriculture & Natural Resources: 2/19/10, 2/23/10 [DP].

Floor Activity:

Passed House: 2/28/10, 96-0.

Brief Summary of Bill

- Authorizes the Harbor Line Commission to amend the harbor lines for all of the state's harbors.

HOUSE COMMITTEE ON AGRICULTURE & NATURAL RESOURCES

Majority Report: Do pass. Signed by 13 members: Representatives Blake, Chair; Ormsby, Vice Chair; Chandler, Ranking Minority Member; Smith, Assistant Ranking Minority Member; Jacks, Kretz, Lias, McCoy, Nelson, Pearson, Rolfes, Van De Wege and Warnick.

Staff: Jason Callahan (786-7117).

Background:

The Washington Constitution requires the Legislature to appoint a commission to establish harbor lines for the navigable waters extending in front of, or one mile beside, any incorporated city limit. The harbor area exists between the outer harbor line and the ordinary high water mark, or inner harbor line. The harbor area is the area between the outer and inner harbor line, and cannot exceed 2,000 feet, or fall shorter than 50 feet. The harbor area designated by the Harbor Line Commission is required by the state Constitution to be

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reserved for landings, wharves, and other conveniences of navigation and commerce. No structure within a harbor area may be leased for a term exceeding 30 years.

The Legislature has appointed the Board of Natural Resources to serve as the Harbor Line Commission. The Harbor Line Commission may locate and establish harbor lines and determine harbor areas. However, the Harbor Line Commission generally may only change, relocate, or reestablish the harbor lines for harbors that are expressly listed by the Legislature once the lines have been established.

Summary of Bill:

The Harbor Line Commission is authorized to change, relocate, or reestablish harbor lines for all harbors in the state and not just for the harbors listed in statute.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) Harbor areas are managed by the Department of Natural Resources and required by the state Constitution to be forever reserved for navigation and commerce. The Harbor Lines Commission has the authority to relocate some harbor lines, but the authority has not been granted statewide. Not being able to relocate harbor lines can lead to the authorization of uses that are inconsistent with constitutional requirements and has resulted in people's front lawns being included in harbor areas.

(Opposed) None.

Persons Testifying: Bridget Moran, Washington Department of Natural Resources.

Persons Signed In To Testify But Not Testifying: None.